

**District V Advisory Board
Minutes
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**April 7, 2003
6:00 p.m.**

**Auburn Hills Golf Course Clubhouse
443 S. 135th West**

The District V Advisory Board met at the Auburn Hills Golf Course Clubhouse at 443 S. 135th Street West. In attendance were six (6) District Advisory Board Members including seven (7) regular members and two (2) youth members. Eight (8) City Staff were present and approximately 30 members of the public of which twenty-four (24) signed the signup sheet.

Members Present

David Almes
Bob Bulman
Sean Cash
David Dennis
Amy Doan
Amy Garcia
Andy Johnson
Laura Scrafford
Vice Mayor Bob Martz

Members Absent

Maurice Ediger
Fran Hoggatt
Brendan Groves
Teresa Schmidt
Bob Sorensen

Staff Present

Officer Lee Eisenbise, Police
Scott Knebel, Planning
Rob Younkin, Public Works
Jim Armour, Public Works
Chris Carrier, Public Works
Neil Cable, Public Works
Steve Lackey, Public Works
Dana Brown, City Manager's Office

Guests

Listed on last page

ORDER OF BUSINESS

Call to Order

The meeting was called to order at 6:10. **Vice Mayor Bob Martz** explained the purpose of the District Advisory Board as advisory to him as the elected representative for City Council District V. He also said that the voting was limited to the Board Members only, even in tie votes, and that his opportunity to vote on issues would be restricted to the City Council Meetings. He acknowledged that many issues come before the Board that are emotional to members of the public and he asked that appropriate behavior be maintained at the meeting, giving each individual who wishes to speak the opportunity to be heard. He asked guests to speak only when acknowledged, speak once regarding an issue, and to state their name and address before speaking.

Approval of Minutes and Agenda

The minutes for March 3, 2003 were approved as written, 6-0. The agenda for the meeting was approved.

Public Agenda

Zoning Request – ZON2002 - 00074

The original request for this case was to change zoning on approximately 5½-acre property in Barefoot Bay from Limited Industrial to Single Family Residence & Neighborhood Office at the

location of south of 29th Street North and east of Ridge Road. The request was presented to DAB V at the February 3, 2003 meeting with conditions of dividing into eight (8) lots with access to the lake in the Barefoot Bay Homeowners Association area. DAB V recommended the request be denied. The Metropolitan Area Planning Department (MAPC) reviewed the case with a change to six (6) lots on March 6, 2003, and recommended approval.

Since that time, some residents of Barefoot Bay Homeowners Association and nearby Ridge Port Homeowners Association requested to appear before DAB V to express support for the amended conditions of the zoning request. However, two (2) additional revisions were made to the request conditions previous to the meeting, causing the agent for the applicant to request time to present the revisions.

Bob Kaplan, agent for the applicant, Mike Shell, explained that the amendments to the conditions of the requested change had occurred on April 4, 2003 with the condition of four (4) lots designated as "SF-5," Single Family and one (1) as "NO," Neighborhood Office. Each lot was to be permitted one (1) dock and one (1) watercraft. On Monday, April 7, 2003, additional changes to the condition were additionally made to two (2) docks and four (4) watercraft, so that each dock will accommodate two (2) watercraft.

Others spoke in support of the latest conditions of the request, including **Greg Ferris, agent for the applicant; Gary Snyder, resident of Barefoot Bay; and Kent Bayley, President of Ridge Port HOA**. Bayley also presented a petition signed by members of the Ridge Port HOA supporting the requested change due to concerns about the potential of the current zoning as Limited Industrial and the impact on 29th Street as the only entrance and exit from their HOA area.

Tom Docking, attorney for Barefoot Bay Homeowners Association, stated that the residents of Barefoot Bay were not aware of the additional changes to the request. Other residents including **Shelly Moore, Carolyn Bedford, Ray Flickner, and Sharon Buck** spoke in opposition identifying concerns including liability for the number of people on the lake when considering families, not just boats; the need for their HOA residents to have the opportunity to review, consider the amendments to the conditions of the request, and vote; considering the zoning only does not include their concerns for safety; and, commercial zoning around the Ridge Port area may pose a potential hindrance to their access as much as Limited Industrial.

In addition, **DAB Members** asked several questions and received responses regarding the distance to the subject property necessary for notification; reasons for opposing; and whether new residents automatically become members of the Barefoot Bay HOA.

Vice Mayor Martz then said that this has been a difficult issue. He noted that the request had been reviewed by DAB V and MAPC twice each but he brought it back to the DAB V meeting tonight in order to allow everyone's input on the request. He said that he would not ask the Board to make another recommendation but would take all of the information provided under advisement when the Council takes action on April 15, 2003.

No action taken.

Staff Presentations

Community Police Report

Community Police Officer Lee Eisenbise, Beat 18, reported that larceny of articles taken from vehicles was still an on-going problem. He advised two actions that could be taken in neighborhoods to prevent the larcenies: 1) Know your neighbors and their schedules; and 2) Don't leave yourself vulnerable to theft from your premises by leaving garage doors open, entry doors unlocked, or cars

unlocked. Eisenbise encouraged residents to form a Neighborhood Watch for their area to be observant and mindful of suspicious activity in their neighborhoods.

Action: Receive & file.

Public Works Agenda

Proposed Sanitary Sewer Main

Rob Younkin, Public Works, presented a proposal for a sewer main (#19/Southwest interceptor) that would serve an area generally bound by 29th Street North, Hoover, K-96, & Tyler to connect to an existing line near 29th Street North and Ridge Road, and extend north to 37th Street North. He explained that this 24" main would collect sewer from the laterals and move it to a sewer station. Younkin noted that this interceptor line was part of the Capital Improvement Program as an ongoing project to extend sanitary sewer service to newly developing areas. The sewer extension and service study of the large area in northwest Wichita called Basin Four. The study is a joint effort of the City Engineer's Office, the Water & Sewer Department, and the Metropolitan Area Planning Department.

Younkin stated that the estimated cost of the project is \$5,000,000 with \$3,750,000 paid by the Sewer Utility and \$1,250,000 paid by Special Assessments. The estimated rate of assessment to individual properties is \$.045 per square foot. The method of assessment is by lot size with one (1) acre lots being assessed approximately \$1,960 and ten (10) acre lots being assessed \$19,602. Younkin explained that payment options included paying on notice and spreading the assessment over ten (10) years. With certain acreage to qualify as an agriculture exemption, a property owner may defer any payment for a maximum of 25 years. Younkin explained that City Council is being asked to order-in the project due to the rapid growth of the area.

Garcia asked if a difference existed between a county and a city assessment to which Younkin responded that the \$.045 per square foot was a result of the County being part of the project; otherwise, the cost would be \$.05 per square foot as a fee in lieu of assessment.

Members of the public then asked questions as follows:

- **Karen Becker, 3244 N. Tyler**, said her family had owned her 10-acre property since 1882. She said that considering the market price per acre, her property was worth less than the cost that she would be assessed for her portion of the project. She also asked about "opting out" of the project.
- **Pat Woodard, 3300 N. Tyler**, said she also owned 10 acres and was retired, which would make it particularly difficult to pay the assessments. She stated that the property owners would be paying for a developer's advantage.
- **Ralph Cross, 1945 N. High**, said he also owned 10 acres and asked how far east the interceptor would be. Younkin said it would run north & south from 29th to 33rd Streets. Cross said it would be 1.2 miles to the connector and that's why his great expense. He asked for the Improvement District lines to be redrawn to include only the areas to be developed.
- **Frank Novy, 3320 N. Tyler**, said that most of the homes in this area had been built 50 years ago and had their own water and sewer systems.
- **Woodard** added that if the line is being laid next to the homes anyway, why do they have to pay, if they object? They will have to pay for the hook-up to the line also. **Younkin** said they are required to pay but those who have larger properties also pay a decreased cost.
- **Will Phillips, 3130 N. Tyler**, said that he bought the property when it was farm ground. Then the City annexed the area. He recognized that he made the choice to live there and was

willing to pay for the large lot but it wasn't fair that he had to pay for a main sewer line that he wouldn't use.

- **Sherre Barringer, 3254 N. Tyler**, said that deferring the cost wouldn't solve anything.
- **Billie Gott, 3225 N. Hoover**, said she is a single mother with a single income who inherited the property from her father and doesn't see how she could pay the assessments. **Younkin** said the deferral is based on income so the costs would not become due until the property changes ownership. He recommended that anyone who was interested could contact City Property Management for deferral qualification information.

DAB Members then asked questions including:

- **Dennis** said that he understood how a Benefit District works and also recognizes the issue of rapid growth. He expressed concern, however, that the current policy impacts people with large lots and have lived in the area for a number of years.
- **Garcia** asked if exclusions could be made and the assessments be made based on future developments. **Younkin** said that property owners couldn't be excluded if their area will benefit. **Members of the public** asked questions about other areas that are adjacent but not included in the district to which **Younkin** said they would be or are included in a different interceptor project, probably the northwest one.
- **Almes** asked if a large lot could be considered as one household as long as it remains that way? **Younkin** said the assessments are currently made equitable for different size lots. **Mike Lindebak, former City Engineer**, was in the audience and said that the Supreme Court had ruled the issue of the size of the property on. Another resident, **Karen Becker, 3224 N. Tyler**, asked if the large lots could be divided into smaller lots to which **Younkin** said the property would have to be platted.
- **Dennis** clarified with **Younkin** that most owners of large property would likely qualify for a 15-year deferral and then another 10-year extension. **Gott** asked what would happen if a property owner couldn't pay but the question was not answered.

Novy asked if someone asked for the sewer system or how this project was initiated? **Younkin** said that it was part of the plan to develop the area. Another resident asked how soon the project would start to which **Younkin** said probably April or May 2004 with the assessment notices sent in late 2004.

Vice Mayor Martz said that if the DAB preferred, more information could be obtained about the issues associated with the project and action could be deferred until May. **Johnson (Cash)** moved to defer a DAB recommendation on the project for 30 days. Motion passed 6:0. **Bulman** asked how probably it would be that the improvement district could be re-drawn to which **Vice Mayor Martz** said that information could be obtained for the May meeting. He asked all DAB Members to send him any additional questions that they might have regarding this project.

Action: Defer recommendation on the project for 30 days by a vote of 6:0.

13th Street Bridge over Cowskin Creek (west of 119th Street West)

Jim Armour, Public Works, presented a project adopted by the City Council to replace the bridge at 13th Street over the Cowskin Creek. The 2002-2011 Capital Improvement Program includes the project with construction scheduled for 2004. He introduced Mike Lindebak, engineer for Cook, Flat & Strohl, the firm contracted by the City to design the bridge.

Three options were presented with different bridge heights and costs. All options included a 4-lane, 48-foot roadway with six-foot sidewalks on each side, and curb & gutter. **Vice Mayor Martz** asked

how often overtopping due to high water would occur with each option. Two options were compared with the most expensive option costing \$2.9 million and having overtop water approximately every 100 years and the least expensive option costing \$1.9 million and overtopping expected to occur every 15 years. Staff recommended the least expensive option.

Dennis asked if flooding could still occur in the area to which **Armour** said it could. **Almes** asked if the flooding would affect Deertrail Homeowner Association area to which **Lindebak** said not really. **Johnson** asked about the design appearance and **Lindebak** said it would look very much like the 119th Street Bridge over Cowskin Creek.

A question was asked about the project affecting the residents to which **Armour** said the residents would still have access during the 6-9 months of construction for the bridge. It was noted that the County road project would occur just west of the bridge.

Dennis (Garcia) moved that the DAB recommend Option #1, as staff recommends. Motion passed 6:0.

Action: Recommended approval of the project with Option #1 (6:0).

Board Agenda

Updates, Issues, and Reports

Vice Mayor Martz

- **Fireworks Task Force**

Vice Mayor Martz asked if any members wanted to serve on the Fireworks Task Force. He explained that each Council Member and the Mayor would each appoint two (2) members to the task force to determine a recommendation for Council regarding how to address the issues of fireworks in the city. He said the task force would meet five (5) times to consider issues such as insurance rates, public safety, enforcement, etc. He said that the task force would host one meeting for public input before providing a recommendation to City Council.

Dennis agreed to serve and **another Board Member recommended Ediger**. **Vice Mayor Martz** asked if any other DAB Members had input for the two appointed to which Garcia suggested that the task force hear from the Fire Department on their experiences in attempting to enforce the current situation.

Action: David Dennis and Maurice Ediger were appointed to the Fireworks Task Force.

DAB Members

- **Update on Westport east of Maize Road**

Dave Almes reported on the actions to address traffic in this area. He explained that staff had met with him and Brendan Groves in early March to review traffic counts with different variables and make recommendations for the committee to consider. On March 18, the full committee met with ten (10) members present including seven (7) residents, Almes, Paul Gunzelman, Public Works, and Dana Brown, City Manager's Office. The residents voted to (1) leave the temporary traffic circles in place on Westport, and (2) present their recommendations to DAB V at the May 5th meeting.

Jim Wilson, 10242 Westport, spoke to the DAB about the “Keep Right” signs and the sand being an unsafe combination. He also said that water fills the street when it rains with the traffic circles in place. In addition, he said that if cars park near a traffic circle, it blocks access through the street and that one car had recently been parked in that position, preventing access for an hour’s time. **Vice Mayor Martz** acknowledged the concerns and said that he hoped for a resolution soon as the area residents had dealt patiently with the attempts to find a traffic calming solution.

Recommended Action: Address each item, as appropriate.

Next Meeting

The next meeting for District Advisory Board V is scheduled on **May 5, 2003** at Auburn Hills Clubhouse at 7:00 p.m.

With no other business, the meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guest List:

Sherre Barringer	3254 N. Tyler, 67205
Pat Woodard	3300 N. Tyler, 67205
Will Phillips	3130 N. Tyler, 67205
Frank Novy	3320 N. Tyler, 67205
Ralph Cross	1945 N. High, 67203
Gary Woodard	3314 N. Tyler, 67205
Karen Becker	3224 N. Tyler, 67205
Reva Woodard	3904 N. Tyler, 67101
Billie Gott	3225 N. Hoover, 67205
Russell Morgan	3259 N. Eisenhower, 67205
Katherine Morgan	3259 N. Eisenhower, 67205
Charles Bowman	3441 N. Hoover, 67205
Gary Snyder	2721 Northshore Circle
Betty Ludwig	406 N. Jaax, 67235
Shelly Moore	2764 N. Northshore Court, 67205
Bill Moore	2764 N. Northshore Court, 67205
Tom Docking	200 W. Douglas
Ray Flickner	2701 Northshore, 67205
Shelly Moore	2764 N. North Shore Ct., 67205
Bill Moore	2764 N. North Shore Ct., 67205
Janet Bouilly	2768 N. North Shore Ct., 67205
Larry Bedford	2606 Northshore Ct., 67205
Steve Bryant	2748 N. Northshore Ct., 67205
Jan Bryant	2748 N. Northshore Ct., 67205
Sharon Buck	2760 N. Northshore Ct., 67205
Clete Dold	218 S. Breezy Point Circle
Jerry Decker	509 Sand Trap
Lonny Wright	2320 Alameda
Rodger Hays	10210 Westport Ct.
Ann Hays	10210 Westport Ct.
Bobbie Wilson	10242 Westport Ct.
Jim Wilson	10242 Westport Ct.
Jay Belling	3438 Sunny Lane